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SIPDIS

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TAGS: [PHUM](#) [PGOV](#) [KJUS](#) [SNAR](#) [EAID](#) [PTER](#) [ASEC](#) [KCRM](#) [GT](#) [ES](#)
SUBJECT: CICIG AGREEMENT SENT TO GUATEMALAN CONGRESS FOR
APPROVAL

REF: A. GUATEMALA 403

- [1](#)B. GUATEMALA 375
- [1](#)C. GUATEMALA 348
- [1](#)D. GUATEMALA 185

This is sensitive but unclassified. Protect accordingly.

[1](#)1. (U) Summary: In the wake of last week's highly publicized and brutal killings of three Salvadoran parliamentarians and four Guatemalan police officers suspected of carrying out the killings, the Berger Administration delivered to the Guatemalan Congress the agreement to establish the International Commission Against Impunity in Guatemala (ref D). These recent killings, which highlighted the urgent need to combat organized crime and end the culture of impunity in Guatemala, may give CICIG some legislative momentum. End summary.

[1](#)2. (U) The Berger Administration sent to the Guatemalan Congress on February 27 the agreement with the UN to establish the International Commission Against Impunity in Guatemala (CICIG), requesting its immediate ratification. President Berger, in a televised address to the nation, said Guatemala's enemy is "the crime that feeds off narcotrafficking." He acknowledged that over the years mafias had taken control of territory for the trafficking and production of narcotics, of ports and customs for contraband, of financial institutions for money laundering, and of prisons as a refuge for masterminding criminal operations, and "worse yet, in association with some members of the State and even of the security forces."

[1](#)3. (U) Berger asked Congress to expedite approval of CICIG by designating it a matter of national urgency. Congress on February 28, however, failed to muster the two-thirds vote required to put the CICIG agreement on a fast track as a "national emergency measure," which would have allowed it to go to a plenary vote without passing through committees. The CICIG agreement has therefore been assigned to the Foreign Relations Committee headed by Zury Rios of the FRG, which is opposed to CICIG and has 7 of the 21 votes in committee. Berger also requested Congress approve legislative proposals to purge and professionalize the National Civilian Police.

¶4. (U) If approved, CICIG, led by a UN-appointed Commissioner and assisted by international investigators, would support Guatemalan institutions with investigation and prosecution of crimes committed by "illegal security groups" and "clandestine security organizations" (i.e., organized crime).

¶5. (SBU) Foreign Minister Rosenthal told the Ambassador February 27 that President Berger decided to move forward with CICIG in response to the February 19 murder of three Salvadoran representatives to the Central American Parliament and subsequent murder of four National Civilian Police officers allegedly involved in the assassination (refs A, B, and C). Rosenthal believed the GOG had the votes in Congress to approve the agreement.

¶6. (U) Although Guatemalans have grown accustomed to a daily news diet of gruesome murders, these recent highly publicized killings sent shock waves through Guatemala because they exposed the extent to which organized crime has penetrated the police. They prompted widespread criticism from both Guatemalans and Salvadorans and highlighted the country's growing insecurity and violence and the urgent need to combat organized crime and narcotrafficking. According to a recent poll, 90 percent of Guatemalans have no confidence in the National Civilian Police.

¶7. (SBU) Comment: Last week's killings are widely believed to link the police to organized crime and may give CICIG some legislative momentum. If CICIG is approved by Congress, the USG (which has long been promoting the establishment of CICIG and its predecessor CICIACS) will be expected to join other donors in providing funding for the Commission. Post urges Department consider announcing our intention to provide funding for CICIG as soon as it is approved by the Guatemalan

Congress.
Derham